

HOUSE BILL REPORT

SB 5767

As Reported by House Committee On:
Environmental Health

Title: An act relating to nonsubstantive changes clarifying outdoor burning provisions of the Washington clean air act.

Brief Description: Making nonsubstantive changes clarifying outdoor burning provisions of the Washington clean air act.

Sponsors: Senators Rockefeller, Pridemore, Regala and Shin.

Brief History:

Committee Activity:

Environmental Health: 3/18/09, 3/25/09 [DP].

Brief Summary of Bill

- Makes nonsubstantive changes to the Washington Clean Air Act to improve clarity of outdoor burning provisions.

HOUSE COMMITTEE ON ENVIRONMENTAL HEALTH

Majority Report: Do pass. Signed by 10 members: Representatives Campbell, Chair; Chase, Vice Chair; Shea, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Dickerson, Dunshee, Finn, Hudgins, Kretz and Rolfes.

Staff: Pam Madson (786-7111)

Background:

The Washington Clean Air Act (CAA), enacted in 1967, authorizes the Department of Ecology and local air pollution control authorities to regulate air quality. The CAA has been amended since its enactment and some provisions including limits on outdoor burning of residential yard waste, land clearing debris, agricultural material such as crop residue, and controlled burning in forests are found in different sections of the law.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

The CAA provisions on outdoor burning are restructured to improve clarity and include technical changes, deleting obsolete references, and updating language references. No provision may be construed as a substantive change.

The CAA outdoor burning provisions are consolidated and reorganized for codification in a new "Outdoor Burning" subchapter. Outdoor burning laws are reorganized based on the following part designations:

- Part 1 - Outdoor burning - general provisions
 - Part 2 - Outdoor burning - program
 - Part 3 - Residential and land clearing burning
 - Part 4 - Agricultural burning
 - Part 5 - Silvicultural burning
 - Part 6 - Aircraft crash rescue and other firefighter training
 - Part 7 - Outdoor burning - other
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Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The bill is intended to avoid confusion. The CAA is difficult to read through and understand what the rules are. The general public and communities should be able to read the laws and understand what they say. The CAA has been amended many times over the last 18 years. Sections are complex even for those who use them on a daily basis. Related provisions are scattered throughout the chapter. The sponsor wanted to clarify provisions that relate to outdoor burning without changing or affecting policy that is in place. This has been a two-year project and has involved stakeholders, the Department of Ecology, and the Code Reviser's Office. The charge to staff was to make the law clearer but not to change any policy.

(Opposed) None.

Persons Testifying: Senator Rockefeller, prime sponsor; and Marshall Taylor, Department of Ecology.

Persons Signed In To Testify But Not Testifying: None.